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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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**LISA L.,**

**Plaintiff,**

**v.**

**FRANK BISIGNANO, Commissioner of the  
Social Security Administration,**

**Defendant.**

**ORDER AFFIRMING AND ADOPTING  
REPORT & RECOMMENDATION**

**Case No. 2:24CV00562-DAK-DAO**

**Judge Dale A. Kimball**

**Magistrate Judge Daphne A. Oberg**

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This case was assigned to United States District Court Judge Dale A. Kimball, who referred the case to United States Magistrate Judge Daphne A. Oberg under 28 U.S.C. § 636(b)(1)(B). The Commissioner moved to remand the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).<sup>1</sup> Ms. L. agreed that a remand is warranted, but she sought a remand with an immediate award of benefits.<sup>2</sup>

On May 6, 2025, the Magistrate Judge entered a Report and Recommendation (“Recommendation”), recommending that the undersigned judge grant the Commissioner’s motion to remand, reverse the Commissioner’s decision, and remand this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).<sup>3</sup> The Magistrate Judge also recommends that the Commissioner be instructed to expedite Ms. L’s case in light of the extraordinary length of time her application has been pending.

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<sup>1</sup> ECF No. 22.

<sup>2</sup> ECF No. 24.

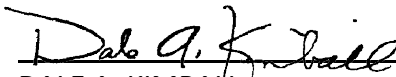
<sup>3</sup> ECF No. 27.

The Magistrate Judge's Recommendation notified the parties that any objection to the Recommendation must be filed within fourteen days. The court has not received an objection, and fourteen days have passed. "In the absence of timely objection, the district court may review a magistrate [judge's] report under any standard it deems appropriate."<sup>4</sup> The court has reviewed the record and determined that Magistrate Judge Oberg's Recommendation is sound and that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(a). The court would also affirm under a de novo standard of review.

Accordingly, the court affirms and adopts Magistrate Judge Oberg's Report and Recommendation in its entirety. Accordingly, the Commissioner's Motion to Remand [ECF No. 22] is GRANTED, and the Commissioner's decision is REVERSED. This case is remanded for further administrative proceedings under sentence four of 42 U.S.C. § 405(g), and the Commissioner is instructed to expedite Ms. L.'s case in light of the extraordinary length of time her application has been pending.

DATED this 21st day of May 2025.

BY THE COURT:

  
DALE A. KIMBALL  
United States District Judge

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<sup>4</sup> *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991); *see also Thomas v. Arn*, 474 U.S. 140, 150, (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").